

WEST VALLEY CITY, UTAH

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH MARLO K. BERGESON AND JOYCE U. BERGESON FOR PROPERTY LOCATED AT 4127 SOUTH 5400 WEST, AND TO ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT.

WHEREAS, the City plans to construct the 5400 West Sidewalk Project from 4100 South to 4179 South on the east side of 5400 West; and

WHEREAS, Marlo K. Bergeson and Joyce U. Bergeson own a parcel of land abutting 5400 West at 4127 South, which will be affected and benefitted by the construction of improvements; and

WHEREAS, Marlo K. Bergeson and Joyce U. Bergeson have agreed to convey that portion of property required by the City for the widening of the roadway; and

WHEREAS, an agreement has been prepared for execution by and between West Valley City and Marlo K. Bergeson and Joyce U. Bergeson. This agreement, entitled, "West Valley City Right-of-Way Agreement," sets forth the rights, duties and obligations of each of the parties with respect to the conveyance of property and construction of improvements; and

WHEREAS, Marlo K. Bergeson and Joyce U. Bergeson have executed a Warranty Deed conveying said right-of-way to the City, subject to the City entering into said Right-of-Way Agreement; and

WHEREAS, Marlo K. Bergeson and Joyce U. Bergeson have executed a Grant of Temporary Construction Easement to allow for the construction of said project; and

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to approve said Right-of-Way Agreement, and to accept said Warranty Deed and Grant of Temporary Construction Easement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City that the Right-of-Way Agreement is hereby approved, and that the Mayor is authorized to execute said agreement for and on behalf of West Valley City.

BE IT FURTHER RESOLVED that, upon execution of said Right-of-way Agreement, the Mayor is authorized to accept and the City Recorder is authorized to record said Warranty Deed and Grant of Temporary Construction Easement for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this ____ day of _____,
20____.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER